



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 02/11/03

AGENDA ITEM 6A

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Proposed New Honda Sales Facility and Related Parking Lot for Automobile Storage – Sonic Automotive (Applicant)

Site Plan Review (PL-2002-0668) – to Construct a New Automobile Sales Facility at 24919 Mission Boulevard; and

Administrative Use Permit (PL-2002-0188) – for Use of Property for Automobile Storage at the Intersection of Fletcher Lane and Walpert Street

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution approving the Mitigated Negative Declaration, the Mitigation Monitoring Program, the Site Plan Review and the Administrative Use Permit subject to the attached findings and conditions.

DISCUSSION:

On Site A, located at the southwest corner of Orchard Avenue and Mission Boulevard, the applicant proposes to raze four structures and construct a new 9,000-square-foot Honda automobile sales facility. The two-story building would include auto display and sales areas on the first floor and a second floor mezzanine with business offices and employee training facilities. There would be one row of car display between the building and streets. The building has been designed with a California Mission-style tile roof with columns supporting a roof projection along the building elevations facing Mission Boulevard and Orchard Avenue, with a tower element oriented toward the intersection. An automobile dealership is a primary use in the CG-SD2 Zoning District. The General Plan designation for the area is retail commercial, and an automobile sales facility is consistent with this designation.

Once the new sales facility is constructed, the applicant intends to use the existing Honda sales facility, at the northwest corner of Orchard Avenue and Mission Boulevard, for sales of parts and vehicle service. Because the use permit for the existing facility is for the sale of vehicles with ancillary sales and service, a modification of that use permit will be necessary to allow the use of the land solely for sale of parts and servicing vehicles.

Site B is a parcel located at the intersection of Fletcher Lane and Walpert Street. The applicant proposes to use the property to store vehicles associated with the new automobile sales facility. The parcel is an undeveloped 4.61-acre site with an irregular shape and steep slopes. Given its

topography and because the Hayward Fault transverses the property, much of the land cannot be developed with habitable structures. The parcel is bounded by multiple-family development to the south and east, commercial development to the west, and Bret Harte Middle School to the north. The stored vehicles would not be visible to residents of the multi-family projects along the upper portion of Walpert Street nor to motorists traveling there due to the steepness of the property. The stored vehicles would not be readily visible from inside the units of the apartment complex to the south because the majority of those apartments do not have windows that face subject property. However, the parked cars would be visible as those residents drive into their parking area or approach their units from walkways.

The parking area would cover approximately 1.4 acres of the 4.61-acre site and provide parking for 244 vehicles. Ten eucalyptus trees would be removed. These trees are in poor health and suffer from insect infestation. They would be replaced with 15-gallon trees (pine and redwood) spaced at 20 to 25 feet on center. Fourteen Flowering Pear trees (15-gallon size) which grow at a moderate rate, would be planted throughout the parking lot to help screen the cars as viewed from the adjacent residential properties to the south. Redwood trees, which are fast growing, would be planted along the rear (east) of the parking area, and Holly Oak in 24-inch containers would be planted along a portion of the south side of the property as additional screening for those who would view the auto storage area from the apartments to the south. Hydro seeding and stabilization of the eastern slope would be included in the project improvements.

The Hayward Area Park and Recreation District has been contacted regarding their interest in the property for use as a park or open space. They are not interested in acquisition of the site because of its steep terrain and proximity to Memorial Park.

On January 23, 2003, the Planning Commission (7:0) voted to recommend approval of the project described in detail in the attached Planning Commission Agenda Report. The Planning Commission discussed a number of issues regarding the proposal. With regard to the proposed automobile sales facility, it was noted that although the proposed 12-foot high monument sign at the corner of Mission Boulevard and Orchard Avenue complies with the Sign Ordinance, it was unnecessary and distracted from the attractive appearance of the building from the corner. With respect to storing vehicles on Fletcher Lane, the concern was expressed that the noise resulting from vehicles being unloaded from auto transport trucks might impact Bret Harte School and the adjacent senior housing development (St Regis) to the north, that the condition of Fletcher Lane would suffer from its use by automobile transports, and that the proposed Redwood trees might block the views from adjacent residential units. The applicant stated the noise from unloading the trucks would be less than noise associated with traffic on the adjacent streets and would occur only once or twice a week. The classroom closest to the storage area is over 300 feet away and is buffered by the steep terrain associated with subject property. At the closest point, St. Regis is about 200 feet away. Truck traffic associated with the vehicle storage is not expected to be greater than that associated with other uses on Fletcher Lane and Walpert Street, namely, moving vans, delivery trucks, and waste removal vehicles.


Regarding the proposed automobile sales facility, a member of the public expressed concern that future street widening projects could impact the property and nearby resident asked that a condition of approval be imposed that would prohibit unloading vehicles on O'Neil Avenue. (There are currently no plans to acquire land from subject site for street widening purposes, and the requested condition had already been included.) Proprietors of two of the businesses located

on the property indicated that they were not informed at an early stage of the applicant's intention to secure the property for their own purposes and that they have not been offered adequate compensation to relocate their businesses.

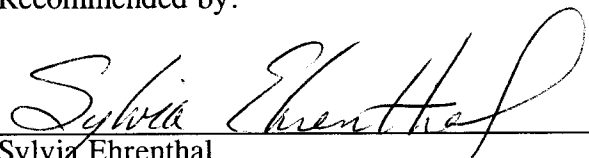
With respect to the Fletcher Lane site, an individual indicated that noise associated with unloading automobile transport trucks could impact the nearby school and that a traffic study should examine potential traffic mishaps associated with the introduction of automobile transport trucks on Fletcher Lane.

On January 29, 2003, the Hayward Redevelopment Advisory Committee (HRAC) voted in favor of the projects, subject to a modification of condition of approval No. 9 so that it states, "Delivery trucks may not unload any automobiles on Orchard Avenue, Mission Boulevard, or any surrounding street."

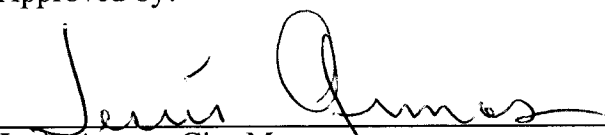
Prepared by:


Dyana Anderly, AICP
Planning Manager

Recommended by:


Sylvia Ehrental
Director of Community and Economic Development

Approved by:


Jesus Armas, City Manager

Attachments:	Exhibit A.	Draft Planning Commission Minutes and Staff Report, dated January 23, 2003
	Exhibit B.	Mitigated Negative Declaration, Initial Study and Mitigation Monitoring Plan Draft Resolution
	Exhibit C.	Plans Draft Resolution

2/5/03

Avenue
PUBLIC HEARINGS

1. **Appeal of the Planning Director's Denial of Tentative Parcel Map 7690 – Ed Fuentes (Applicant/Owner)** – Request to Subdivide a 9,000± Square-Foot Parcel into Two Parcels and Approve a Variance to the Rear Yard Setback – The Property is Located at 22838 Francisco Street in an CC-C (Central City-Commercial) Subdistrict (Continued From October 17, 2002)

Assistant Planner Koonze explained the previous Planning Commission action.

Commissioner Caveglia asked about the vote from the previous meeting. He was told they did not vote to approve the project but merely asked for findings and conditions to approve the request and variance.

The public hearing was opened at 7:36 p.m.

Ed Fuentes, applicant, said he was available to answer any questions.

Commissioner McKillop asked about the improvements on the street and the timing on it.

Commissioner Halliday asked the applicant whether there were any changes to his plans.

Mr. Fuentes said no, he would merely secure the roof.

Commissioner Sacks asked about his perception of the information. He said he was fine with all of the conditions.

The public hearing was closed at 7:36 p.m.

Commissioner Caveglia **moved**, seconded by Commissioner Zermeño, to approve the application with findings and conditions. The **motion passed unanimously**.

2. **Site A. Site Plan Review (PL-2002-0668) – George Avanesian (Applicant)/Sonic Automotive (Owner)** – To Raze Four Structures and Construct a New Automobile Sales Facility for Honda – The Project is Located at 24919 Mission Boulevard at the Southwest Corner of Orchard Avenue and Mission Boulevard in a General Commercial-Mission Corridor Special Design (CG-SD2) Zoning District; **Site B. Reconsideration of Administrative Use Permit (PL-2002-0188) – David Fosgate (Applicant)/Michael Ahern (Owner)** – Request for Use of Property as a Parking Lot for Automobile Storage – The Project is Located at the Intersection of Fletcher Lane and Walpert Street in an Agricultural (A) Zoning District

Consulting Project Planner Weisbrod presented the report. He indicated that Site A will be a two-story building, and have offices and display for the sale of new cars. The building will be mission-style with a tower at the corner as a focal point. The dealer's present location across the street will be used for auto detailing and service.



He noted that Site B on Fletcher Lane is proposed as a parking lot for storage of autos. He noted that he received one phone call from a resident against the plan on Fletcher.

Commissioner Caveglia asked about the size of the monument sign on the corner of Mission.

Consulting Project Planner Weisbrod said the sign ordinance does permit a 12-foot high monument sign.

Commissioner Sacks asked for further information about the sign and the landscaping.

Commissioner Zermeno asked about the relocation of the businesses presently on the site.

Consulting Project Planner Weisbrod said staff would be working on relocating them in Hayward.

Commissioner Halliday asked about the land lease.

Redevelopment Director Bartlett said staff has been working with Sonic on this. Sonic owns one of the parcels on the corner. They have long-term ground leases for 20-30 years on the others. Staff is suggesting they build the building as close to the corner as possible.

Commissioner Halliday asked about the noise generated by trucks unloading cars.

Commissioner Thnay asked about the trees required in the landscaping at the Fletcher Lane site and how tall they would be at maturity.

Consulting Project Planner Weisbrod said they could be kept at a height that would not block the view of adjacent residents.

Commissioner Thnay also asked about the wear and tear and damage to Fletcher Lane. He thought it extraordinary that there were no conditions making the applicant responsible.

Consulting Project Planner Weisbrod said a condition could be attached regarding truck damage to Fletcher Lane.

The public hearing opened at 7:57 p.m.

George Avanesian, Architect, explained that the leases are no problem for the applicant. He said he thought the mission-style light fixtures might be difficult to find.

Consulting Project Planner Weisbrod said staff would work with them to find light fixtures that meet the intent of the condition.

Commissioner Halliday asked whether the two proposals were tied together.

Mr. Avanesian stated that they absolutely were. He said the dealership cannot do one without the other.

Robert Sanders, Sonic Motors, responded further to commissioner's questions. He said the auto carriers would not unload cars more than once or twice a week at the Fletcher Lane site. Nor would they make any exceptional noise. He noted that the 12-foot monument sign is necessary for visibility at the dealership. He added that they have no plans for security guards at the Fletcher Lane site at this time.

Ron Barklow asked whether development of Site A would interfere with the Walpert Ridge street improvement on intersection. He suggested that, at present there is unnecessary lighting at the dealerships along Mission, and asked whether a traffic study had been done at Fletcher Lane to determine the probability of accidents involving the carrier trucks and cars coming down the hill. He then suggested that the amount of noise of trucks going up the hill and pulling into the facility might disturb the students at the nearby school. He said the steel ramps make noise unloading the cars. He then asked how much grading would be done at this location and whether the City would be liable if the hillside slides. He said he was concerned about this location for car storage. He suggested it might be better suited to the PG&E facility, which would also be closer to the present dealership.

Naji Dobashi, one of the owners of the liquor store on Mission at this site, said he came to Hayward two years ago and came to make a living. He said they are not being treated right. Sonic is not offering them anything close to what their business is worth. He noted that if his business were up for sale, there would be one price. What they are being offered is not the same. Even if they were to move they would have to re-build their clientele. The rent would be higher at a new place. He added that they signed a 10-year lease with the owner, a 5-5. After five years they could have re-leased at the same cost for another five years with options for more at the end of ten years. He said they have worked hard on the property and spent a lot of money fixing it up.

Jose Cuevas, owner of a restaurant at the location, said they have been there over a year. They have invested over \$100,000 in the building and opened Dec. 2001. He said they would have appreciated knowing what the future of the property was going to be so they would not have invested the amount. Their business has already grown from two to six employees. He said they are looking for relocation help. Tri-City Sporting Goods owns their lease. He maintained that Sonic is trying to take advantage of non-English speaking tenants.

Commissioner Zermeño asked whether the City of Hayward has helped in any way and how.

Mr. Cuevas said they just recently found out about this proposal. He said they did not know what was going on or would not have made the investment and commitment they have in their restaurant.

Commissioner Zermeño asked further whether they had been approached regarding a buy out on their lease.



Mr. Cuevas said they have a lease of 5 years. Since they made their deal with Tri-Cities Sporting Goods, he wondered who owns the lease at this point. He maintained that they have made a good faith effort to recapture their investment and make some money.

Commissioner Caveglia then asked Redevelopment Director Bartlett to explain the process and the City's role in this.

Redevelopment Director Bartlett said the Redevelopment Agency has been in exclusive negotiations with Sonic since last July. She said the Agency sent information regarding this action to the tenants. The Agency has been encouraging Sonic to negotiate a termination of the leases with the tenants. If this were unsuccessful after one final try, the tenants would be eligible for relocation assistance through the City.

Commissioner McKillop asked for further explanation regarding the relationship between the leases the tenants have with Tri-City Sporting goods and Sonic.

Redevelopment Director Bartlett explained that it is really a sublease from the restaurant property owner.

Commissioner McKillop commented that it sounds onerous for the owners down there, especially when they are not sure of the process.

Redevelopment Director Bartlett said the City of Hayward is hoping the owners will continue to maintain their businesses until there is a final disposition of the property.

Commissioner Zermeño asked whether the process had been explained to the owners.

Redevelopment Director Bartlett said the City has not discussed anything with them since there is no official agreement between Sonic and the Agency at this point. She maintained that once there is an owner-participation agreement, the City would be in a position to have discussions with tenants and information could be made available in Spanish.

Commissioner Halliday confirmed that relocation assistance would be available only if an owner-participation agreement is entered into.

Redevelopment Director Bartlett said the Agency has encouraged Sonic to get a voluntary agreement with the tenants. When asked about legal assistance for the tenants, she said she was not sure whether there is any available. She said relocation assistance is available through a neutral party. The Agency will serve to provide them this assistance under State law.

Commissioner Halliday suggested it might be appropriate to advise the tenants of their rights since it sounds like they have legitimate concerns.

Redevelopment Director Bartlett noted that the Agency is working toward an agreement with Sonic.

Commissioner Sacks said she was trying to comprehend the recommendation from staff. She wanted clarification that the Commission was to act on the recommendation without getting into the leases and other information.

Planning Manager Anderly clarified that the Commission was making a land-use decision. She stated that their action would be as a use of the land for these purposes.

Mike Cox, an O'Neil Avenue homeowner, said he had several problems to discuss regarding Site A. He asked that no cars be unloaded on O'Neil Avenue. He maintained that it does deteriorate the street and make a lot of noise. He asked that the trees on the west side be of a type and species to fill in the area so that neighbors do not see the project. He noted that there were two-story condos and apartments looking at the location. He also asked that any audible intercom system be prohibited since it is annoying. He said he hopes the dealership will be a good neighbor.

Chairperson Bogue explained to him that there are a number of conditions of approval speaking directly to his concerns.

Planning Manager Anderly at this point discussed a phone call she had received from resident Bea Thornton who asked for non-approval of the Fletcher Lane part of the plan. Mrs. Thornton thought that this use would be inappropriate on that road.

Carol Porter, owner of the Fletcher Heights apartments, asked who would maintain the street and landscaping in the area, as well as take responsibility for drainage. She then asked who are the actual owners of the parcels.

Consulting Project Planner Weisbrod said the applicant would be responsible for maintaining the landscaping and property improvements.

W. Bruce Bercovich, an attorney for Sonic, explained that they were in the process of purchasing the Fletcher property as well as owning the corner property on Mission.

The public hearing was closed at 8:35 p.m.

Commissioner Sacks **moved** the staff recommendation. Commissioner Thnay seconded the motion.

Commissioner Thnay said he wanted to speak to a few points. He noted that at the previous meeting he had questions about using this site for a park and was it realistic. He commented that since HARD is not interested in developing a park on the site, it is difficult to imagine what else they might be able to do with it. Although this is not ideal, this is a prudent and fair option. He said he did not want to see the Honda dealership leave the City. He appreciated the condition requiring loading and unloading cars only from 9 a.m. to 4 p.m.



Commissioner McKillop said initially she had voted against the Fletcher Lane storage since she maintained that it should be kept as open space. However, she said, it does not seem to be a reality for it to be a park. At this point it is a dumping ground. She added that she appreciated the concerns of the tenants, but since this is a land-use issue, she felt that this is an appropriate use. She said she would support the motion.

Commissioner Zermeno agreed that he would rather see the Fletcher Lane area as a park but without HARD agreeing it cannot be done. He said he, too would support the motion. He added that he felt for the tenants at the Mission Boulevard property, and hoped they would meet with the Redevelopment Agency and also get further information about the various City programs that might help them like small business loans, etc.

Redevelopment Agency Director Bartlett said the Economic Development Department has small business help.

Commissioner Sacks added a further comment regarding the Fletcher Lane property. She said that it should be okay to have the car carriers go up to that space. She said she drove up there herself and that land like that has potential. She noted that the applicant would protect their property up there so it would help make it a safer area.

Commissioner Halliday asked about the General Plan designation for the Fletcher Lane property, adding that you would usually see in the Neighborhood Task Force report what they would want in the area.

Planning Manager Anderly said the Mission-Foothill Task Force explored the area for further auto dealerships placements. She said there was no discussion of this particular property in their report.

Principal Planner Patenaude reported that in the General Plan, this area was designated Limited Open Space. He added that this use might not be inconsistent with that designation.

Commissioner Halliday then asked about the noise impacting the school.

Consulting Project Planner Weisbrod said the buildings on the school site are lower than this site, so that should mitigate noise impacts.

Planning Manager Anderly discussed the view terrace, which would also not be impeded.

Commissioner Halliday expressed dismay over this decision. She agreed that they do not want Honda to leave the City of Hayward, however there are questions regarding how this would impact the area. She said she determined that only a couple of truck trips a week would not have a big impact, so she would support the motion.

The motion passed unanimously.

3. **I. General Plan Amendment (PL-2002-0292)** – Request to Amend the General Plan Designation from Retail & Office Commercial (ROC) and Limited Medium-Density Residential (LMDR) to High-Density Residential (HDR); **II. Zone Change (PL-2001-0340)** – Request to Amend the Zoning District from General Commercial (CG), Neighborhood Commercial (CN) and Medium-Density Residential (RMB3.5) to Planned Development (PD) to accommodate a 200-unit retirement center – **Livermore Acres, Inc. (Applicant/Owner)** – The Project is Located at 29228 Mission Boulevard opposite the intersection with Valle Vista Avenue

Principal Planner Patenaude made the presentation. He noted that the present site is the Valle Vista Skating Rink. The applicant would combine three parcels of land to accommodate the project, which will include a parking garage with 300 spaces. It will also have a shuttle service for transporting residents to the BART station, as well as shopping centers in the area. There will be a bridge from the main structure to the parking garage. He noted that the precise plan would include a formal landscape plan and a chance for more trees to be included to screen it from the neighborhood. He described the building as neo-Mediterranean style architecture. He added that staff is recommending a red-tile roof rather than composition roof since there is a large amount of roof on the project. He showed more details of the elevations of the property and noted that staff is recommending reducing the parking garage size to allow for more open space outside the residence since it is within the South Hayward BART station area. He noted also that the Fairway Park Homeowners Association does support the project but recommends that park fees be used to fund a senior center at a near-by school site. Staff does not support this dedication of fees.

Chairperson Bogue was told that the senior center proposal would be within this same area.

Commissioner Zermeño asked whether there were any plans to relocate the skating rink.

Principal Planner Patenaude said there were none. He added that this is in the path of the 238-freeway route.

Commissioner Zermeño then suggested that a bus island be developed into the project similar to that at the County building on Amador

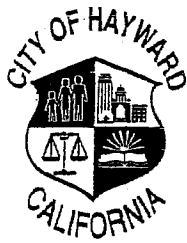
Principal Planner Patenaude said staff would be looking at that.

Commissioner Zermeño suggested a mural might be appropriate on the wall of the parking structure, and possibly space for a community garden.

Principal Planner Patenaude said once the footprint of the garage reduced, there might be space for various things. He explained that there could be terraced open space on the site. Removing a half deck of the garage and lowering the profile of the deck, could also allow for a rooftop garden.

Commissioner Zermeño added that he thought a Senior Center was a great idea.

Principal Planner Patenaude explained that a number of agencies were involved with that property



CITY OF HAYWARD AGENDA REPORT

Meeting Date 01/23/03

Agenda Item 2

TO: Planning Commission

FROM: Norman Weisbrod, Consulting Project Planner

SUBJECT: Site A – Site Plan Review (PL-2002-0668) – To Raze Four Structures and Construct a New Automobile Sales Facility for Honda; 24919 Mission Boulevard at the Southwest Corner of Orchard Avenue and Mission Boulevard, in a General Commercial-Mission Corridor Special Design (CG-SD2) Zoning District; George Avanessian (Applicant)/Sonic Automotive (Owner)

Site B – Reconsideration of Administrative Use Permit (PL-2002-0188) - Request for Use of Property as a Parking Lot for Automobile Storage; Located at the Intersection of Fletcher Lane and Walpert Street in an Agricultural (A) Zoning District; David Fosgate (Applicant) /Michael Ahern (Owner)

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council:

- Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program;
- Approve the Site Plan Review for the new automobile sales and office facility subject to the attached findings and conditions of approval and;
- Approve the Administrative Use Permit for a parking lot for automobile storage subject to the attached findings and conditions of approval

DISCUSSION:

Given the recent adoption of the Redevelopment Plan and the City Council's request to review new auto dealerships, staff is referring this matter to the Planning Commission and Council.

Site A:

Site A is located at the southwest corner of Orchard Avenue and Mission Boulevard. The property is developed with four commercial buildings that are to be demolished (a taqueria, liquor store, former 'Labor Ready Office' and building used for Honda parts storage and formerly an appliance store). Surrounding properties on Mission Boulevard are developed with various commercial uses. To the rear of this site is a multi-family residential development fronting on O'Neil and Orchard Avenues.

This site consists of four separate parcels. The applicant is entering into a land term land lease and the property lines would remain. Since the building would cross property lines, a non-buildable easement would have to be created to the satisfaction of the Building Official prior to issuance of a building permit.

The proposal is for a new 9,000 square-foot building to be used for new car display, sales and related offices. The building would be two stories in height with auto display and sales area on the first floor and a partial second floor with business offices and employee training. The building has been located as close to the two street frontages as possible while still leaving room for a single row of display cars.

This property is located in the General Commercial-Mission Corridor Special Design Zoning District, which requires a California mission architectural design theme. The building would have a mission tile roof and columns supporting a roof projection along the building elevations facing Orchard Avenue and Mission Boulevard. There would also a covered vehicle delivery area at the back of the building supported by mission style columns. A tower at the corner of the building facing the intersection with a raised roof element would provide an interesting element along Mission Boulevard.

A monument sign is proposed in the landscaping at the corner of Orchard Avenue and Mission Boulevard. The sign would be 12 feet high and 8 feet wide with the name Honda and their logo. The sign would be stucco to match the building with individual letters for the name and an internally illuminated plastic face for the logo. Staff is recommending a condition that the sign have a California mission theme to tie in with the architecture of the building.

Landscaping would be provided along the Orchard Avenue and Mission Boulevard frontages of the site and along the side and rear property lines. Customer and employee parking would be provided along the side and rear of the building. The remainder of the site would be used for car display including a feature display area at the corner of Orchard Avenue and Mission Boulevard.

An automobile dealership is a primary use in the CG-SD2 Zoning District. The General Plan designation for the area is also retail commercial which would include an auto dealership.

The Hayward Honda dealership is currently located at the northwest corner of Orchard Avenue and Mission Boulevard where automobile sales and service occur. When the new automobile showroom sales facility is completed across the street, the current site is intended to be used for auto service and detailing. This would require modification to the existing conditional use they are presently operating under.

Site B:

Site B is located at Fletcher Lane and Walpert Street. The parcel is an undeveloped 4.61-acre site with an irregular shape. A portion of the site has a slope of 2:1 or greater and the site is within the Earthquake Fault Zone since it is crossed by the Hayward fault. It is bounded by multi-family to the south and east, commercial development to the west and Bret Harte Junior High School to the north. The proposal is to use the site for an outdoor automobile storage parking lot for the new Honda Dealership.

This matter was considered by the Planning Commission at its meeting of September 26, 2002. A motion to approve the project resulted in a vote of 3 Ayes, 3 Noes and 1 Absent. Because no decision was reached by the Planning Commission, the applicant is seeking reconsideration.

Some Commissioners indicated that an auto storage parking lot was not an appropriate use for this property and suggested the land might be used for a park or open space. The Hayward Area Recreation and Park District (HARD) has stated that they are not interested in the purchase of the site.

The parking lot would cover approximately 1.4 acres and would provide storage for 244 vehicles. The portion of the site used for parking would be graded so the parking areas would have a 15 percent grade and the access aisles would have a 5 percent grade. This would require the removal of ten eucalyptus trees and result in the site being visible from Mission Boulevard near Wendy's and the intersection of Mission Boulevard and Fletcher Lane. Since this property is in an Earthquake Fault Zone, the area where buildings could be constructed is limited to a small area on the western portion of the property. The fault zone would not restrict the use of the land as a parking lot.

The storage lot is visible from the balconies of the units to the rear of the property and the parking access driveway, stairway and balconies of the end units of the complex to the south of the site. To minimize the visual impact of the storage lot from Mission Boulevard and the adjacent apartment complexes, a 6-foot high metal picket fence with medium size shrubs and vines planted in front is proposed around the perimeter of the parking lot. An 8-foot high decorative wood fence would also be provided along the southern property line to screen the parking from the adjacent apartment complexes. Additional 15-gallon trees spaced at 20 to 25 feet on center would be planted along the lower bank of the site to provide additional screening. To address some of the concerns raised at the September 26th Planning Commission meeting, the applicant would be planting 14 trees throughout the parking area to screen some of the cars from view from the adjacent residential properties. There are also some areas where additional trees can be provided.

Other improvements include hydro seeding and stabilization of the rear slope. The applicant also proposes extending and rounding out the public right-of-way to improve site lines at the entrance to the parking lot so cars coming around the curve on Walpert Street would have better visibility of cars and trucks exiting the storage facility.

To reduce the impact on adjacent residents, staff recommends limiting the hours of operation for truck carrier traffic to 9:00 a.m. to 4:00 p.m. Monday through Friday and all other vehicular traffic to 7:00 a.m. to 9:00 p.m. daily.

ENVIRONMENTAL REVIEW (CEQA)

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. However, there will be no significant environmental impacts that will not be mitigated, as determined from staff's Initial Study preparation. Therefore, a Mitigated Negative Declaration has been prepared.

PUBLIC NOTICE

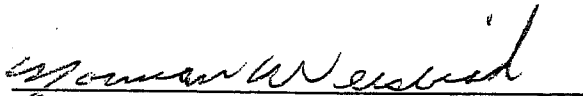
A referral notice was mailed to every property owner and occupant within 300 feet of the subject sites, as noted on the latest assessor's records asking for comments on the project. The Planning Division received one response from a property owner on O'Neil Avenue regarding the new facility at the southwest corner of Orchard Avenue and Mission Boulevard. The property owner reviewed the plans in the Planning Division office and had no objection to the proposal.

On December 24, 2002, a notice of public hearing and preparation of a Mitigated Negative Declaration was published in the Daily Review, mailed to property owners and occupants within 300 feet of the project boundaries, to those who attended the last Planning Commission Meeting and sent to the Mission-Foothills Neighborhood Task Force.


CONCLUSION

This proposal for a new Honda sales facility, auto storage area and would result in a more efficient operation for the dealership and a substantial improvement in the appearance of the Mission Boulevard and Orchard Avenue intersection. The use supports the policy of concentrating new car dealerships in this area of Mission Boulevard. The new building would result in a substantial improvement over the appearance of the existing commercial buildings on the property.

Prepared by:


Norman Weisbrod
Consulting Project Planner

Recommended by:


Dyana Anderly, AICP
Planning Manager

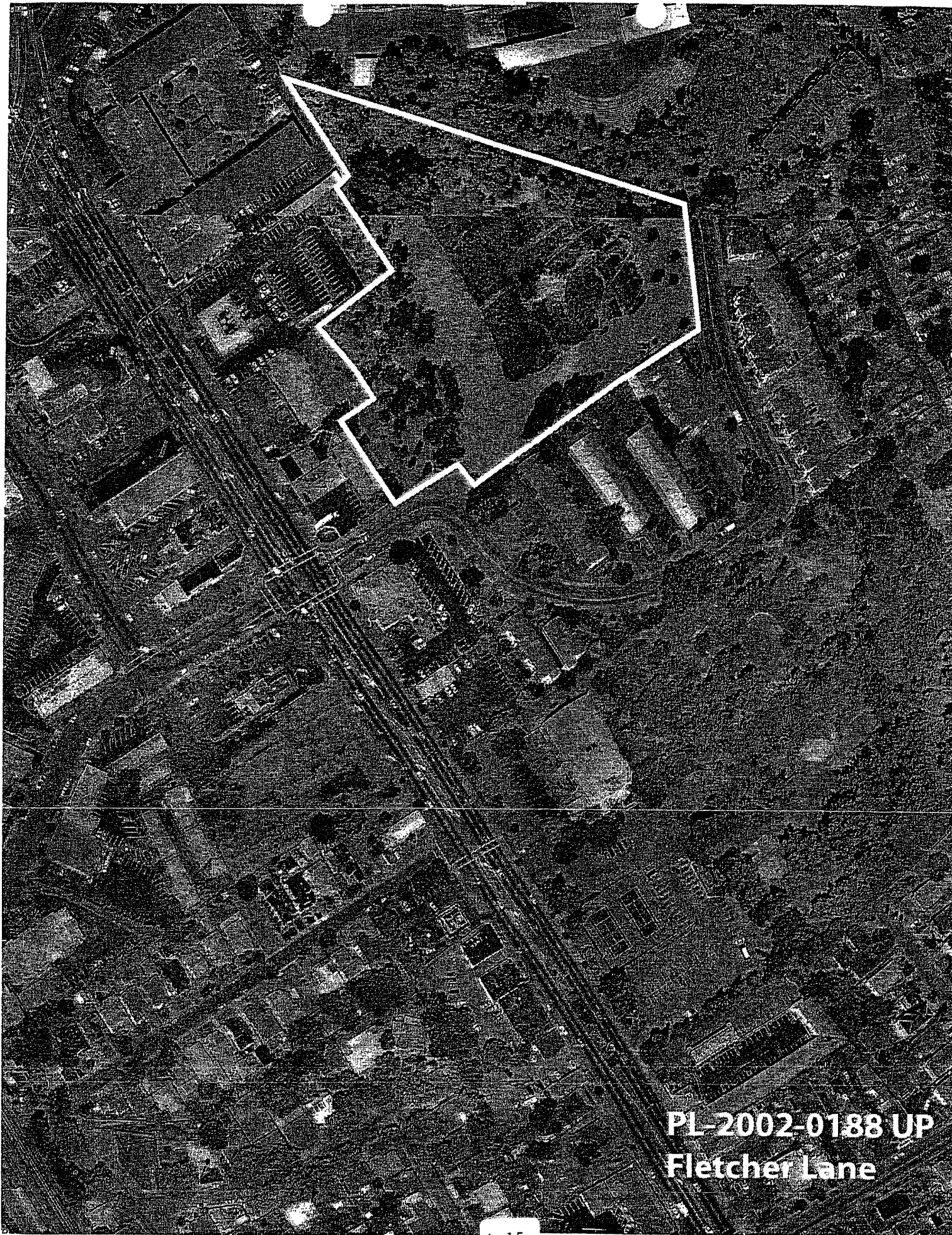
Attachments:

- A. Area & Zoning Maps
 - B. Findings for Approval
 - C. Conditions of Approval
 - D. Mitigated Negative Declaration, Initial Study and Mitigation Monitoring Plan
 - E. Excerpt of Planning Commission Minutes dated September 26, 2002
- Plans





PL-2002-0668 SPR
24919 Mission Blvd.
24933 Mission Blvd.
24947 Mission Blvd.



PL-2002-0188 UP
Fletcher Lane

FINDINGS FOR APPROVAL

Site Plan Review No. PL-2002-0668
George Avanesian for Hayward Honda

1. The application has been reviewed according to the standards and requirements of the California Environmental Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment that can't be mitigated, therefore it is determined that adoption of a Mitigated Negative declaration is the appropriate action.
2. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City. All existing on-site structures will be removed and a new building will be constructed that is in conformance with the Mission Corridor Special Design Overlay Zoning. Landscaping and screen walls will be included in the development to screen the project from adjacent residential structures and enhance its appearance from the Orchard Avenue and Mission Boulevard intersection.
3. The development takes into consideration physical and environmental constraints. The project site is primarily flat with no physical or environmental constraints. The site will be graded to adequately drain to conform to the Clean Water Act and new curb, gutter and sidewalk will be provided where missing or in poor condition.
4. The development complies with the intent of City development policies and regulations. The design of the building complies with the Mission Corridor Special Design Overlay Zoning requiring Mission style architecture. The development is also in conformance with the design theme in the Mission Foothills Neighborhood Plan recommending architecture compatible with the early history of Mission Boulevard as a connection between Spanish ranches and missions on the California coast.
5. The development will be operated in a manner determined to be acceptable and compatible with surrounding development. The development will be screened by an 8-foot high masonry wall and landscaping to enhance the appearance of the site from adjacent residential uses. Conditions of approval will be attached that will mitigate impacts the proposed use may have on surrounding properties and uses.

FINDINGS FOR APPROVAL

Administrative Use Permit No. Pl-2002-0188
David Fosgate (Applicant)/Michael Ahren (Owner)

1. The application has been reviewed according to the standards and requirements of the California Environmental Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment that can't be mitigated; therefore it is determined that adoption of a Mitigated Negative declaration is the appropriate action.
2. The proposed use is desirable for the public convenience or welfare in that it makes use of a parcel that is difficult to develop due to its location within the Alquist Priolo Study Zone and sloped topography.
3. The proposed use will not impair the character and integrity of the zoning district and the surrounding area in that sufficient landscaping has been provided to screen views of the cars from Mission Boulevard and the apartment complexes surrounding the area.
4. The proposed use will not be detrimental to the public health, safety and general welfare in that minimum loss to life and property would occur should an earthquake take place in the vicinity of the site. The site is only for storage of automobiles and no building will be located on the site.
5. The proposed use is in harmony with applicable City policies in that the General Plan Policies & Strategies are supportive of uses that increase revenues to the City. Expanding the storage capacity will support the activities of the nearby auto row.

CONDITIONS OF APPROVAL
Site Plan Review No. PL-2002-0688
George Avanesian for Hayward Honda

1. The proposed application (Site Plan Review Application No. PL-2002-0688) is to locate a new automobile sales facility for Honda at the intersection of Orchard Avenue and Mission Boulevard. The automobile sales facility shall operate according to these conditions of approval and plans approved by the City Council on February 11, 2003, labeled Exhibit "A". This approval is void one year after the effective date of approval unless a building permit application has been submitted and accepted for processing by the Building Official. Any modification to this permit shall require review and approval by the Planning Director.
2. Prior to final inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
3. Violation of these conditions is cause for revocation of the permit after a public hearing before the duly authorized body.
4. The applicant shall apply for all necessary building and grading permits.
5. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit.
6. The Planning Director shall approve the design and location of exterior lighting fixtures, which shall reflect the Spanish architectural style of the building. Lighting within the parking and display areas shall be provided and be maintained at a level which is adequate for illumination and protection of the premises. Lighting shall be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast a direct light or glare upon adjacent properties or rights-of-way. A photometric lighting plan shall be submitted and approved by the Planning Director. The lighting plan shall comply with the City's Security Ordinance.
7. The dealership shall have no outdoor speakers, telephone ringers or other attention getting devices audible outside the building. Silent systems shall be used for paging of employees.
8. Wrecked or inoperable vehicles shall not be stored on the property.
9. Delivery trucks bringing new automobiles to the site shall not unload vehicles on Orchard Avenue, Mission Boulevard or any surrounding streets. All unloading of vehicles shall take place on the subject property.
10. Customer and employee parking shall not be used for car storage or display.
11. All required parking stalls shall meet the minimum standards of the Off-Street Parking Regulations.

12. Roof mounted mechanical equipment shall be fully screened from ground-level view within 150 feet of the property by the roof structure. If there are to be any roof-mounted HVAC units, no polluted waters from these units shall be discharged to the storm drain via roof drains. Uncontaminated condensate is acceptable for storm drain discharge.
13. The applicant shall maintain in good repair all fencing, parking lot surfaces, landscaping, lighting, drainage facilities, project signs, etc. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence or the city has the right to enter and remove and charge the property owner for the clean-up.
14. No outside storage of material, crates, boxes, etc. (other than cars) shall be permitted anywhere on the site.
15. No banners, flags, balloons or other attention devices shall be displayed on the property unless approved by a Temporary Sign Permit.
16. In the event that archaeological resources, prehistoric or historic artifacts are discovered during construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning division shall be notified. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluation of accidental finds and discover of human remains shall be followed as prescribed in Sections 15064.5 of the California Environmental Quality Act.
17. Prior to issuance of a building permit, the applicant shall record a non-buildable easement or other agreement to the satisfaction of the Building Official.

Engineering

18. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit the entry of pollutants into stormwater runoff to the maximum extent practicable.
19. All driveways to be abandoned shall be removed and replaced with standard curb, gutter and sidewalk, details subject to approval of the City Engineer.
20. Any existing broken sidewalk that creates tripping hazards shall be removed and replaced details subject to approval of the City Engineer.
21. A streetlight shall be installed along Orchard Avenue frontage per SD-120.
22. The plans submitted for a building permit shall show on-site drainage system and outfall. The developer shall provide hydrology and hydraulic calculations to be reviewed by ACFC and WCD.

23. Any work in the right-of-way along the Mission Boulevard frontage of the property will require an encroachment permit from Caltrans.
24. All retaining walls shall be decorative reinforced concrete.
24. An 8-foot high decorative wall shall be constructed along the westerly property line between the subject site and the adjacent multiple-family residential project, details subject to approval of the Planning Director.
25. The project plan shall include erosion control measures to prevent soil, dirt and debris from entering the storm drain system in accordance with the practices outlined in the California Storm Water Best Management Practices Handbook, ABAG, "*Erosion and Sediment Control Handbook*" and Regional Quality Control board's "*Erosion and Sediment Control Field Manual*."
26. Any new driveways shall be constructed to meet Standard Detail SD-110.
27. Public telephones shall not be installed outside of the building.
28. Any construction sign placed on the property shall display the name and phone number of an individual that can respond to complaints of noise and dust. All adjacent property owners shall be informed by letter of construction dates prior to commencement of construction.

Landscaping

29. Prior to issuance of a building permit, the applicant shall submit detailed landscaping and irrigation plans prepared by a licensed landscape architect for review and approval of the City Landscape Architect. Landscaping and irrigation shall comply with the City's Water Efficient Landscape Ordinance and the following requirements:
 - a) Above ground utilities (e.g. gas or electric meters, backflow devices, etc.) shall be screened from the street with shrubs.
 - b) Where any landscaped area adjoins driveways or parking areas, Class B Portland Cement concrete curbs shall be constructed to a height of six inches above the adjacent finished pavement.
 - c) Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.

CONDITIONS FOR APPROVAL

Administrative Use Permit No. Pl-2002-0188

David Fosgate (Applicant)/Michael Ahern (Property Owner)

1. The proposed application (Administrative Use Permit Application No. Pl-2002-0188) is to locate an outdoor automobile storage parking lot at the parcel located at the intersection of Fletcher Lane and Walpert Street. The automobile storage parking lot shall operate according to these conditions of approval and plans approved by the City Council on February 11, 2003, labeled Exhibit "A". This approval is void one year after the effective date of approval unless a building permit application has been submitted and accepted for processing by the Building Official. Any modification to this permit shall require review and approval by the Planning Director.
2. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
3. The applicant shall apply for all necessary permits.
4. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit.
5. The applicant shall provide signage at the entry gate, not exceeding 6 square feet in area, including the phone numbers of emergency contact persons, in case of an emergency at the facility. There may be no other signs.
6. The applicant shall maintain in good repair all fencing, parking lot surfaces, landscaping, lighting, drainage facilities, project signs, etc. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within seven days of occurrence or the City has the right to enter and remove and charge the property owner for the clean-up.
7. The entry gate shall be setback toward the interior end of the entry drive to allow a truck or car to pull out of the flow of traffic on Fletcher Lane. A solid decorative masonry entry wall shall replace the proposed masonry columns at the entry. The design of the masonry entry wall shall be approved by the Planning Director.
8. The street address number shall be located on the entry wall and shall be no less than 10 inches in height with a minimum ½-inch stroke width and of a contrasting color to background.
9. An 8-foot high decorative wood fence shall be provided along the southern property line. Layout and design of fence shall be approved by the Planning Director

10. Truck traffic to and from the site shall occur only between the hours of 9:00 am to 4:00 pm Monday through Friday. All other vehicular traffic shall be limited to 7:00 am to 9:00 pm daily.
11. No wholesale or retail activities shall occur on site. No car washing or auto detailing shall be permitted at the site. The site shall be used only for the storage of passenger automobiles.
12. Only the perimeter of the auto storage parking areas shall be striped delineating the vehicular circulation and parking areas on the site. No individual parking spaces shall be striped. All cars shall be parked within these boundaries.
13. Lighting within the parking storage area shall be provided and be maintained at a level which is adequate for illumination and protection of the premises. Lighting shall be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast a direct light or glare upon adjacent properties or rights-of-way. A photometric lighting plan shall be submitted and approved by the Planning Director. Lighting Plan shall comply with the City's Security Ordinance.
14. A trash receptacle shall be provided in the vicinity of the main entrance. Trash receptacle shall be approved by the Planning Director.
15. No outside storage of material, crates, boxes, etc. (other than cars) shall be permitted anywhere on site.
16. No electrified fencing or barbed wire shall be allowed at this site.
17. The existing sidewalk off of Fletcher Lane in front of parcel shall be removed and a new sidewalk with handicapped ramps shall be provided along with new street curb on Fletcher Lane.
18. Violation of conditions is cause for revocation of permit after public hearing before the duly authorized review body.

Engineering

19. A grading permit shall be obtained prior to any clearing, grubbing and grading of the site. Approximate quantities of cut and fill shall be provided at the time an application for a grading permit is submitted.
20. All graded or disturbed areas that will be idle during the rainy season shall be mulched at the rate of two tons per acre.

21. A BMPs structure such as CDS, CRS and/or equal, shall be installed prior to connection to Fletcher Lane storm drain system.
22. A grassy swale shall be constructed to collect runoff from the slope on the east side of the parking lot and connect to the storm drain system.
23. The Developer shall provide complete hydrology and hydraulic calculations sufficient to analyze downstream impact. The storm drainage system shall be reviewed and approved by ACFC & WCD.
24. The project plan shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system in accordance with the practices outlined in the California Storm Water Best Management Practices Handbook, ABAG, "*Erosion and Sediment Control Handbook*" and Regional Water Quality Control Board's "*Erosion and Sediment Control Field Manual*."
25. Submit 3 copies of Soils and Geological Investigation Report to the City for review by City's Consultant prior to any site grading.
26. All retaining walls shall be decorative reinforced concrete.
27. No work shall be done in the street except for the replacement of the broken sidewalk along the property frontage.
28. The ground below the undercut sidewalk at the top of site on Walpert Street shall be repaired. Show on the plan a detailed design of how to support the existing undercut sidewalk on Walpert Street.

Traffic

29. The driveway shall be constructed to meet Standard Detail SD-110.
30. No on- or off-loading of vehicles shall take place on Mission Boulevard or Fletcher Lane.

Landscape

31. Prior to the issuance of the grading permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. A Certificate of Substantial Completion and Irrigation Schedule shall be submitted by the project landscape architect prior to approval of occupancy.
32. Trees shall be preserved in accordance with the *Tree Preservation Ordinance*. Tree shall not be severely pruned, topped or pollarded. Any trees that are pruned in this

manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City pursuant to Municipal Code. A tree removal permit is required prior to the removal of any tree. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.

33. For each tree removed, three 15-gallon trees shall be provided in replacement. Trees shall be planted on the west bank of the property to provide additional screening from Mission Boulevard as required by the City Landscape Architect. Groundcover shall be provided on the bank between the fence and the west property line.
34. Trees shall be provided to screen the automobile storage within the parking lot from surrounding apartment complexes including additional trees planted within the parking lot as required by the City Landscape Architect. Trees shall be selected and sited to minimize blocking views of the Bay. Trees shall be 15-gallon size minimum and planted 20 to 25 feet on center.
35. A low retaining wall shall be provide along the driveway next to the Eucalyptus grove along the south property line to minimize disturbance of the trees roots.
36. A certified Arborist shall be onsite when any work is done within the drip line of the trees to be protected. The City's tree protection measures shall be used and noted on grading and landscape plans.
37. Landscaping shall be provided from new sidewalk along Fletcher Lane/Walpert Street to the entry gates.
38. An evergreen vine shall be planted on the ornamental iron fence facing Mission Boulevard at 10 feet on center.
39. Hydroseed mix with perennials and shrubs for the rear slope shall be approved by the City Landscape Architect.
40. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed within all required landscape areas, including the hydro seeded slope at the rear of the property. An individual adjustable flood bubbler shall be provided at each tree. Provide check valves for all sprinkler heads to minimize erosion.
41. All above ground utilities and mechanical equipment shall be screened from the street with shrubs.
42. Where any landscape area adjoins parking areas, a Class "B" Portland Cement concrete curb shall be constructed to a height of 6 inches above the finish pavement.
43. Landscaping shall be maintained in a healthy, weed-free condition at all times. The

owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent die-back) shall be replaced within ten days of the inspection

Fire Department

44. No driveway grades shall be in excess of 15 percent.
45. The proposed fire hydrants shall be double steamer and installed as per City Standard Detail SD-206. Crash post (bollards) shall be installed to prevent any type of vehicular damage from impact. Crash post shall be installed per City of Hayward Standards.
46. All driveways for the site shall be designated fire lanes and shall have an all weathered surface with a minimum 20-foot width capable of meeting fire truck turning radii at turns and a fire truck turnaround at the dead end. Red-curbings/stripping and fire lane signage shall be installed per City of Hayward Fire Department Standards.
47. A security gate will be installed at the driveway entrance from Fletcher Lane. The minimum width shall be 20 feet. A fire department key switch and /or lock box shall be installed.

Utilities

48. A Reduce Pressure Backflow Prevention Assembly as per the City of Hayward Standard Detail 202 shall be installed on all domestic & irrigation water meters. All Backflow Prevention Assemblies must be the same size as the water meter or line size which ever is larger.



**DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Planning Division**

MITIGATED NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Description of project: Site A – Site Plan Review for the 50,932 square foot property located at the southwest corner of Orchard Avenue and Mission Boulevard. It is currently developed with several commercial buildings occupied by various commercial uses. The existing buildings will be demolished and replaced with a new car dealership show room, outdoor display and offices. The building will be two stories and will be surrounded by customer and employee parking and automobile display areas.

Site B – Administrative Use Permit for the project site located at the intersection of Fletcher Lane and Walpert Street. The parcel contains 4.61 acres with an irregular shape. The proposal is to use the site for an outdoor automobile storage parking lot for the Honda dealership at Orchard Avenue and Mission Boulevard a little more than a half mile away (Site A above). The parking lot will cover approximately 1.4 acres of the site and will accommodate 244 automobiles.

Site C – Modification of the Use Permit for the site located at the northwest corner of Orchard Avenue and Mission Boulevard. It is currently being used as the new car showroom and sales area and car service for the Honda dealership. With the new auto showroom and sales area located across the street will be converted to their auto service and detailing facility.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project will have no significant effect on the area's resources, cumulative or otherwise.

III. FINDINGS SUPPORTING DECLARATION:

1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Checklist Form has been completed for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.

IV. PERSON WHO PREPARED INITIAL STUDY: Norman Weisbrod, Consulting Project Planner

Dated: December 18, 2002

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4215.

DISTRIBUTION/POSTING

- Provide copies to project applicants and all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



Environmental Checklist Form

1. Project title: Site A - PL-2002-0668 Site Plan Review for Construction of a New Automobile Dealership; Site B - PL-2002-0188 Conditional Use Permit for the Use of Property as a Parking Lot for Automobile Storage; and Site C - Modification to Existing Conditional Use Permit (UP 81-105) to Use Former Auto Sales and Service Facility for Auto Service.
2. Lead agency name and address: City of Hayward, Department of Community and Economic Development, 777 B Street, Hayward, CA 94541-5007
3. Contact person and phone number: Norman Weisbrod, Consulting Project Planner, 510-583-4215
4. Project location: Site A - The new car dealership will be located at 24919, 24933 and 24947 Mission Boulevard, southwest corner of Orchard Avenue and Mission Boulevard (APN 444 0057 020 04). Site B - The parking lot for automobile storage will be located northeasterly of the intersection of Fletcher Lane and Walpert Street (APN 445 0001 004 13). Site C - The existing facility is located at 24895 Mission Boulevard (APN 444 0036 037 06).
5. Project sponsor's name and address: Sites A and C- George Avanessian (Avanessian and Associates) for Sonic Automotive, 400 Oyster Point Boulevard, Suite 115, South San Francisco, CA 94080. Site B - David Fossgate, 6415 Idlewild Road, Charlotte, KNC 28212.
6. General plan designation: Site A and C - General Commercial. Site B - Open Space for Park and Recreation.
7. Zoning: Site A and C - General Commercial District - Mission Corridor Special Design District (CG-SD2). Site B - Agricultural District (A).
8. Description of project: Site A - Site Plan Review for the 50,932 square foot property located at the southwest corner of Orchard Avenue and Mission Boulevard. It is currently developed with several commercial buildings occupied by various commercial uses. The existing buildings will be demolished and replaced with a new car dealership show room, outdoor display and offices. The building will be two stories and will be surrounded by customer and employee parking and automobile display areas.

Site B - Administrative Use Permit for the project site located at the intersection of Fletcher Lane and Walpert Street. The parcel contains 4.61 acres with an irregular shape. The proposal is to use the site for an outdoor automobile storage parking lot for the Honda dealership at Orchard Avenue and Mission Boulevard a little more than a half mile away (Site A above). The parking lot will cover approximately 1.4 acres of the site and will accommodate 244 automobiles.

Site C - Modification of the Use Permit for the site located at the northwest corner of Orchard Avenue and Mission Boulevard. It is currently being used as the new car showroom and sales area and car service for the Honda dealership. With the new auto showroom and sales area located across the street will be converted to their auto service and detailing facility.

9. Surrounding land uses and setting: Site A - The surrounding properties on Mission Boulevard are zoned for and developed with various commercial uses. Properties to the west on Orchard Avenue and O'neil Avenue are zoned High-Density Residential (RH) and developed with apartments and condominiums.

Site B - This site is bordered by multi-family dwellings to the south and east, St. Regis

Retirement Center and Bret Harte Junior High School to the north, and El Rancho Steakhouse, a commercial building and a Chevron gas station to the west.

Site C – Surrounding properties on Mission Boulevard are developed with various commercial uses. Properties on Orchard Avenue and O'Neil Avenue consist primarily of multi-family uses.

10. Other public agencies whose approval is required: Site A and C – An encroachment permit from Caltrans will be required for any work performed in the public right-of-way since Mission Boulevard is State Highway Route 238.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Norman Weisbrod
Signature

December 18, 2002
Date

Norman Weisbrod, Consulting Project Planner
Printed Name

City of Hayward
Department of Community
and Economic
Development
Agency

INSTRUCTIONS FOR EVALUATION OF ENVIRONMENTAL IMPACTS
AND USE OF ENVIRONMENTAL CHECKLIST:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL ISSUES:

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

☐
☒
☐
☐

Comment: Site A and C will have no impact on a scenic vista.

Site B will have a potentially significant impact unless mitigation is incorporated. The site will be graded to provide parking areas with a 15 percent slope and driveways with a 5 percent cross section. This will result in a 20-foot change in elevation from the lower edge to the higher edge of the parking lot and require the removal of 10 Eucalyptus trees. This will make the parking lot visible from the southbound lanes on Mission boulevard and the intersection of Mission boulevard and Fletcher Street. The parking lot will also be visible from the adjacent apartment complexes. The following mitigation measure will reduce the impact to a level of insignificance:

- To minimize the visual impact of the parking lot as viewed from Mission Boulevard a 5-foot metal picket fence with medium-size shrubs and vines planted in front of it will be provided around the perimeter of the lot. Three fifteen-gallon trees for every Eucalyptus tree removed will be planted along the lower bank of the site to provide additional screening. A decorative masonry entry wall is required to obscure views into the parking lot from the intersection of Mission Boulevard and Fletcher Lane. To minimize the visual impact of the parking lot as viewed from the adjacent apartment complexes, an 8-foot high decorative wood fence is required along the southern property line to screen views of the parking lot as seen from the apartment's driveways. Additional 15-gallon trees, spaced 20 to 25 feet on center are required along the south property line and along the proposed rear metal picket fence to screen views of the parking lot as seen from the adjacent apartment's walkways and patios. Trees will also be placed within the parking lot to further screen views of the cars from the adjacent residential properties.

- | | <i>Potentially
Significant
Impact</i> | <i>Potentially
Significant
Unless
Mitigation
Incorporation</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|--|---|--|---|--------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comment: Site A and C will have no impact on scenic resources. On site B, ten Eucalyptus trees, 4 of which are in fair condition and the remaining in poor condition, will be removed. These will be replaced with new trees at a ratio of three fifteen-gallon trees for each Eucalyptus tree removed. Additional trees will also be provided within the project site and on the perimeter of the site. The following mitigation will reduce the impact to a level of insignificance:

- See I. a) above.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Comment: See I. a and b) above.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: On Site A, B and C there will be exterior lighting in the evening hours however, the amount will not be substantial and it will be installed so as not to shine on adjacent properties.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: Sites A, B and C are not indicated on any Farmland Mapping as potential for farmland use. A and C are currently developed for urban uses.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: None of the sites are covered included in a Williamson Act contract. Site B is zoned for agricultural use. It is never been in an agricultural use and does not have any potential for agricultural use.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: None of the Sites are being used as Farmland.

III. **AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The traffic volumes associated with the three project sites are not anticipated to be substantial. Therefore, a significant increase in air emissions or deterioration of ambient air quality attributed to the project is not anticipated. It should be noted that the latest information provided by the Bay Area Air Quality Management District (BAAQMD) indicates that the Bay Area is designated a non-attainment area for ozone and particulate matter (PM10). Traffic generated by this project will not exceed existing traffic generated by the Honda dealership at its current location on Mission Boulevard and will not result in an increase in air emissions.

Best Management Practices (BMP) is required as a condition of approval regarding use of equipment during the grading phase of construction. The project will be conditioned to require that all trucks be covered and that daily street sweeping and site watering be implemented during this phase. In addition, vehicle wheels may be required to be washed before entering the public street.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See III. A) above.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: See III. a) above.

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See III. a) above.

e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See III. a) above.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: On Site A and C there are no biological resources. These properties are developed commercial uses.

Site B is an undeveloped hillside property that is covered by native vegetation and ten large Eucalyptus trees. There may also be some common bird species and rodents such as pocket gophers [*Thomomys sp.*]. These species are common to many areas and have no regulatory protective status. The site is rutted by motorcycle or mountain bike use and appears to be used as a shortcut to the adjacent Bret Harte School. The site does not appear to be an environmentally sensitive site and it is unlikely the site would be the habitat for any endangered or sensitive species.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: None of the three sites are known to have any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are no identified wetlands on the project sites.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See IV. a) above.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Hayward has a tree preservation ordinance for existing trees. Any trees removed on any of the three sites will have to conform to the ordinance requiring the planting of new trees. This will be handled as a condition of approval.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are no adopted plans that apply to any of the sites.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comment: There are no known cultural resources in the project area and it is unlikely that any cultural resources will be encountered during site development. Potential impacts related to unknown cultural resources that may be encountered during the construction phase can be mitigated to a level of insignificance with the implementation of the following mitigation measure:

- In the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Development Services Department shall be notified. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.5 and 15126.4 of the California Environmental Quality Act.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See V a) above.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See V a) above.

d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See V a) above.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

• **Comment:** The Hayward fault is Approximately 550 feet from Site A and C. It is likely that during the lifetime of any further building constructed on the project sites, they will be subject to seismic shaking and other earthquake-induced effects. The Uniform Building Code requires new building construction to meet requirements for construction in earthquake-prone areas, which is intended to minimize any potential impacts related to seismic events. Site B will have no buildings. All improvements will consist of grading, paving and landscaping.

ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See VI. a) I) above.

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See VI. a) I) above.

iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: Site B only see VI. a) i) above.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: Sites A and C are flat with no potential for landslides. Site B does have the potential for landslides. A geologic, grading and drainage report will have to be prepared and approved prior to any site work. The following mitigation measure is recommended in order to reduce potentially significant impacts related to landslides to a less than significant level:

• The developer shall conform to all requirements of the City Engineer prior to commencing any site improvement work.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comment: Site A and C are relatively level. On those two sites the City Engineering Division will ensure that proper erosion control measures are implemented.

Site B is a hill site with the potential for impacts related to hydrology and water quality issues. To reduce impacts to less than a significant level the following mitigation measures are recommended:

b) Result in substantial soil erosion or the loss of topsoil?

Comment: Sites A and C are fairly level. Site B is an undeveloped hillside which may be subject to erosion. The following mitigation measures are recommended to reduce potentially significant impacts related to hydrology and water quality to a less than significant level:

- Prior to issuance of a grading permit, an erosion control plan shall be developed for the site in order to minimize any erosion that may occur during grading. Protection measures may include implementing silt fencing, hay bales and/or sand bags. The erosion control plan shall be submitted to the City Engineer for review and approval.
- In accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit, the applicant shall file a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) advising that the project is under consideration for construction. The applicant shall submit proof of approval from the RWQCB to the City Engineer prior to issuance of a grading permit.
- Until such time as all construction of the development has been completed to the satisfaction of the City Engineer, the applicant shall provide current Erosion and Sediment Control Plans, and amended Storm Water Pollution Prevention Plans (SWPPPs) for all portions of the site where construction is ongoing.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comment: See VI. b) above.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: All three sites will be connected to the City of Hayward sewer system where applicable.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: No hazardous materials of a significant threshold are anticipated to be used at any of the sites.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VII. a) above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VII. a) above.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: None of the three sites is on a list of hazardous materials sites.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: None of the three sites are within an airport land use plan or within two miles of a public or private airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VII. e) above.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will not impair the implementation of or interfere with an adopted emergency response plan.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: None of the three sites are subject to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: A drainage plan will have to be submitted and approved by the City Engineer for each of the three sites. The San Francisco Bay Regional Water Quality Control Board also has authority over drainage on the site and their approval is required before issuance of any building or grading permits. Waste water requirements will be subject to approval of the City of Hayward.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: Since Site A and C are presently developed with commercial uses the new projects will have little impact on groundwater recharge. Site B is undeveloped and the proposed paving will reduce groundwater recharge from the present conditions. This impact is insignificant as there is no known wells nearby that would see a drop in water levels.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: None of the three sites is located near a stream or river. Development of the sites will not result in substantial erosion or siltation on-or off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VIII. a) above.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VIII. a) above.

f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VIII. a) above.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project does not include any housing.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: See VIII. g) above.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See VIII. g) above.

j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project sites are not in an area that would be impacted by a seiche, tsunami or mudflow.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Site A and C are commercial properties on Mission Boulevard and are in conformity with the land use pattern on that street. Site B is a vacant parcel that can be developed only in a very limited way with structures because the Hayward fault crosses the property and it is in the fault zone. The proposed development will only consist of paving for car parking and access and landscaping. The only structures will be screen fences and walls.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project would not be in conflict with the general plan or the zoning ordinance.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There is no habitat conservation plan or natural community conservation plan that applies to this site.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are no known mineral resources on any of the three sites.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See X. a) above.

XI. NOISE - Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The use of Sites A and C for car sales and service will not increase noise levels over what currently exists since new car sales is an existing use at Site C.

Site B may result in some increase in noise levels for residents in the surrounding apartments and condominiums. Conditions will be recommended restricting truck carrier traffic to 9:00 a.m. to 4:00p.m. Monday through Friday and limiting all other vehicular traffic to 7:00 am. to 9:00 p.m. daily.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: See XI. a) above.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: See XI. a) above.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: None of the three project sites are located within an airport land use plan or within two miles of a public airport or public use airport.

e) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XI. d) above.

XII. POPULATION AND HOUSING -- Would the project:

Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will not result in population growth in the area.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will not result in the displacement of any existing housing units.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XII. b) above.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comment: The proposed project would have no effect upon, or result in only minimal need for new or altered government services in fire and police protection, schools, maintenance of public facilities, including roads and in other public services.

b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: See XIII. a) above.

d) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XIII. a) above.

c) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: See XIII. a) above.

d) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: See XIII. a) above.

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will have no impact on existing neighborhood or regional parks.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XIV. A) above.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: Site A is presently being used for a liquor store, employment office and a restaurant. The conversion to a new auto dealership may result in a decrease in traffic over the existing commercial uses.

Site C is presently a new auto dealership including sales and service. Only the service portion of the dealership will remain and the sales and offices will move across the street. This will probably result in a reduction in traffic.

Site B is presently vacant. The proposed use will result in 3 to 4 carrier trucks coming to the site per week to unload cars. New cars will also be driven from the parking and storage lot to the dealership at Mission Boulevard and Orchard Avenue. This will result in an increase in vehicle trips to and from this site. Conditions will be attached regulating the hours that trucks can deliver cars to the site so as not to correspond with the peak hours. Access to this property will not require vehicle trips through any residential neighborhoods and will not impact access to any properties on Fletcher Lane.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XV. a) above.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will not affect air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This proposal will not substantially increase hazards due to design features or incompatible uses.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: Adequate emergency access will be provided to all three sites.

f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The proposal will have to meet minimum parking requirements.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project does not conflict with adopted policies supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project has been reviewed by the City of Hayward Utilities (Water) Division. Water and sewer service are available at Site A and C and will be made available at Site B subject to standard conditions and fees in effect at the time of application for service. The plans will have to show the location of water, sewer and storm drains. The project plan shall include storm water pollution prevention and control measures for the operation and maintenance of the project during and after construction.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XVI. a) above.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See XVI. a) above.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The City of Hayward supplies water and the service to the project sites will not change.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the project.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Solid Waste generated by Sites A and C will probably not increase since they are presently in commercial use.

Site B will be used for vehicle parking and will generate little or no solid waste.

g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project sites participate in the Waste Management of Alameda County recycling program under contract with the Oro Loma Sanitary district. Service will remain the same.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Site B is the only portion of the project that is on undeveloped land. This site is impacted by pedestrian activity and is not known as a location for rare or endangered plant or animal species.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are no known impacts that would be cumulatively considerable.

b) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project does not have environmental effects which will cause substantial adverse effects on human beings.

MITIGATION MONITORING PROGRAM

SITE PLAN REVIEW APPLICATION NO. PL-2002-0668
ADMINISTRATIVE USE PERMIT APPLICATION NO. PL-2002-0188
MODIFICATION TO USE PERMIT NO. UP-81-105
George Avanesian (Applicant) /Sonic Automotive (Owner)

1. *AESTHETICS*

Mitigation Measure: To minimize the visual impact of the parking lot as viewed from Mission Boulevard a 5-foot metal picket fence with medium-size shrubs and vines planted in front of it will be provided around the perimeter of the lot. Three fifteen-gallon trees for every Eucalyptus tree removed will be planted along the lower bank of the site to provide additional screening. A decorative masonry entry wall is required to obscure views into the parking lot from the intersection of Mission Boulevard and Fletcher Lane. To minimize the visual impact of the parking lot as viewed from the adjacent apartment complexes, an 8-foot high decorative wood fence is required along the southern property line to screen views of the parking lot as seen from the apartment's driveways. Additional 15-gallon trees, spaced 20 to 25 feet on center are required along the south property line and along the proposed rear metal picket fence to screen views of the parking lot as seen from the adjacent apartment's walkways and patios. Trees will also be placed within the parking lot to further screen views of the cars from the adjacent residential properties.

Verification Responsibility: City Planning Division

Monitoring Schedule during Plan Review: Condition of Approval: On-going during plan check

Monitoring Schedule during Construction/Implementation: On-going during construction

2. *AGRICULTURAL RESOURCES* – No mitigation required
3. *AIR QUALITY*- No mitigation required
4. *BIOLOGICAL REQOURCES*- No mitigation required
5. *CULTURAL RESOURCES*

Mitigation Measure: In the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Development Services Department shall be notified. A qualified archaeologist shall be consulted to determine

whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.1 and 15126.4 of the California Environmental Quality Act.

Verification Responsibility: City Planning Division

Monitoring Schedule during Plan Review: Condition of Approval: On-going during plan check

Monitoring Schedule during Construction/Implementation: On-going during construction

6. *GEOLOGY/SOILS*

Mitigation Measure: The developer shall conform to all requirements of the City Engineer prior to commencing any site improvement work.

Prior to issuance of a grading permit, an erosion control plan shall be developed for the site in order to minimize any erosion that may occur during grading. Protection measures may include implementing silt fencing, hay bales and/or sand bags. The erosion control plan shall be submitted to the City Engineer for review and approval.

In accordance with the requirements of the National Pollutant discharge elimination System (NPDES) permit, the applicant shall file a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) advising that the project is under consideration for construction. The applicant shall submit proof of approval from the RWQCB to the City Engineer prior to issuance of a grading permit.

Until such time as all construction of the development has been completed to the satisfaction of the City Engineer, the applicant shall provide current Erosion and Sediment Control Plans, and amended Storm Water Pollution Prevention Plans (SWPPPs) for all portions of the site where construction is ongoing.

Implementation Responsibility: City of Hayward

Verification Responsibility: City Building division and the Public Works Department

Monitoring Schedule during Plan Review: City Building Division and the Public Works Department

Monitoring Schedule during Construction/Implementation: On-going during construction and prior to issuance of certificate of occupancy

7. ***HAZARDS & HAZARDOUS MATERIALS*** – No mitigation required
8. ***HYDROLOGY / WATER QUALITY***-No mitigation required
9. ***LAND USE / PLANNING*** – No mitigation required
10. ***MINERAL RESOURCES*** – No mitigation required
11. ***NOISE*** - No mitigation required
12. ***POPULATION / HOUSING*** – No mitigation required
13. ***PUBLIC SERVICES*** – No mitigation required
14. ***RECREATION*** – No mitigation required
15. ***TRANSPORTATION / TRAFFIC*** – No mitigation required
- UTILITIES / SERVICE SYSTEMS*** – No mitigation required

AVENESSIAN ASSOCIATES
ARCHITECTS
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SOUTH HAVEN, CONNECTICUT 06488
PHONE (860) 388-0875
FAX (860) 388-0876
E-MAIL: AVENESSIAN@AOL.COM



HAYWARD HONDA
AUTOMOBILE SALES
HAYWARD, CALIFORNIA



REVISIONS

DATE: Dec. 31, 2002

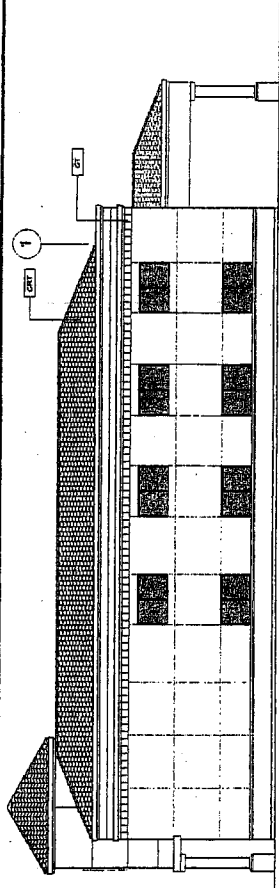
PROJECT NO. 02-001
DRAWING NO. 02-001
SHEET NO. 02-001

Floor Plans
Elevations

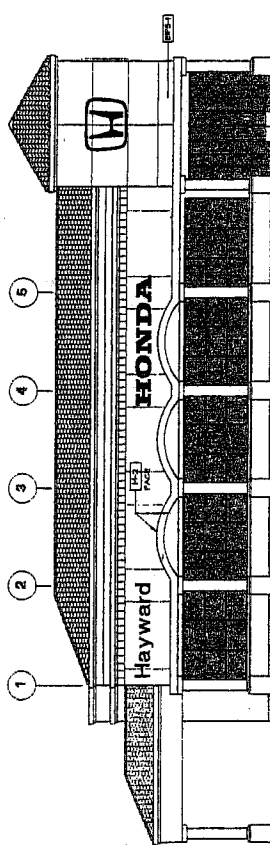
DRAWING NO. A-2
SHEET NO. 02-001

Material Legend

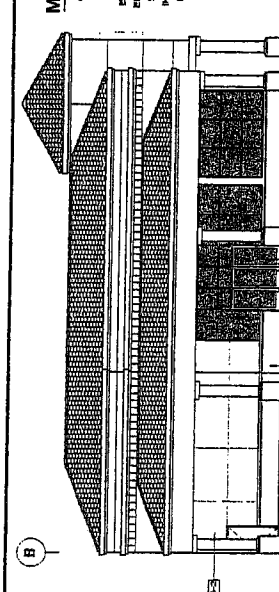
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- EPF-2 EXTERIOR FINISH
- EPF-3 EXTERIOR FINISH
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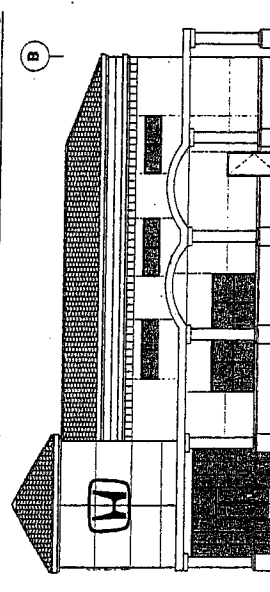
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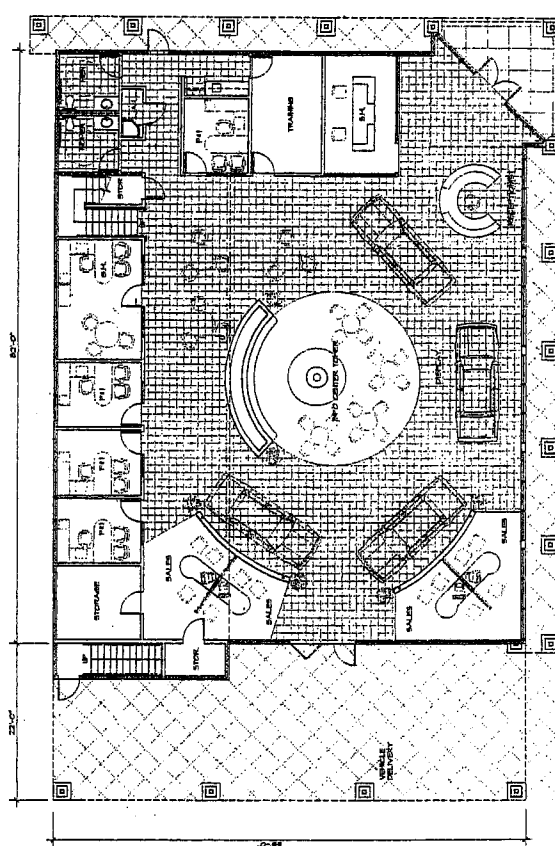
East Elevation



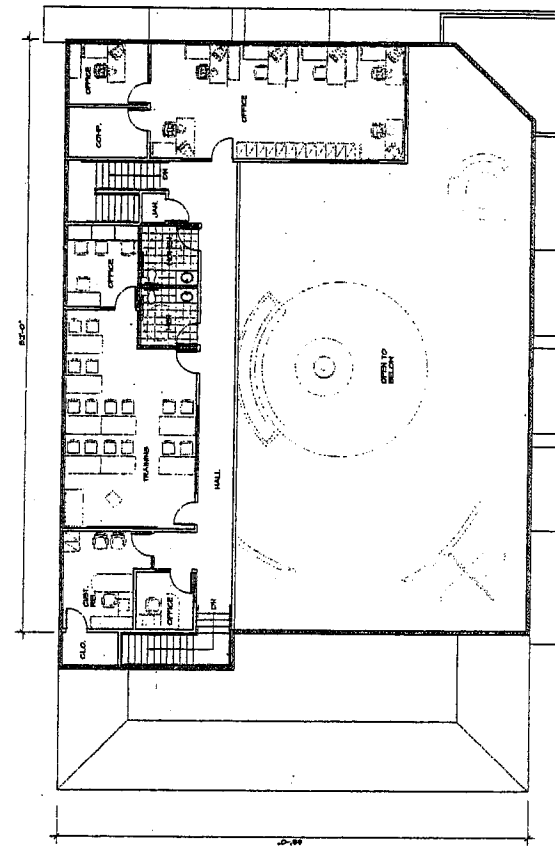
South Elevation



North Elevation

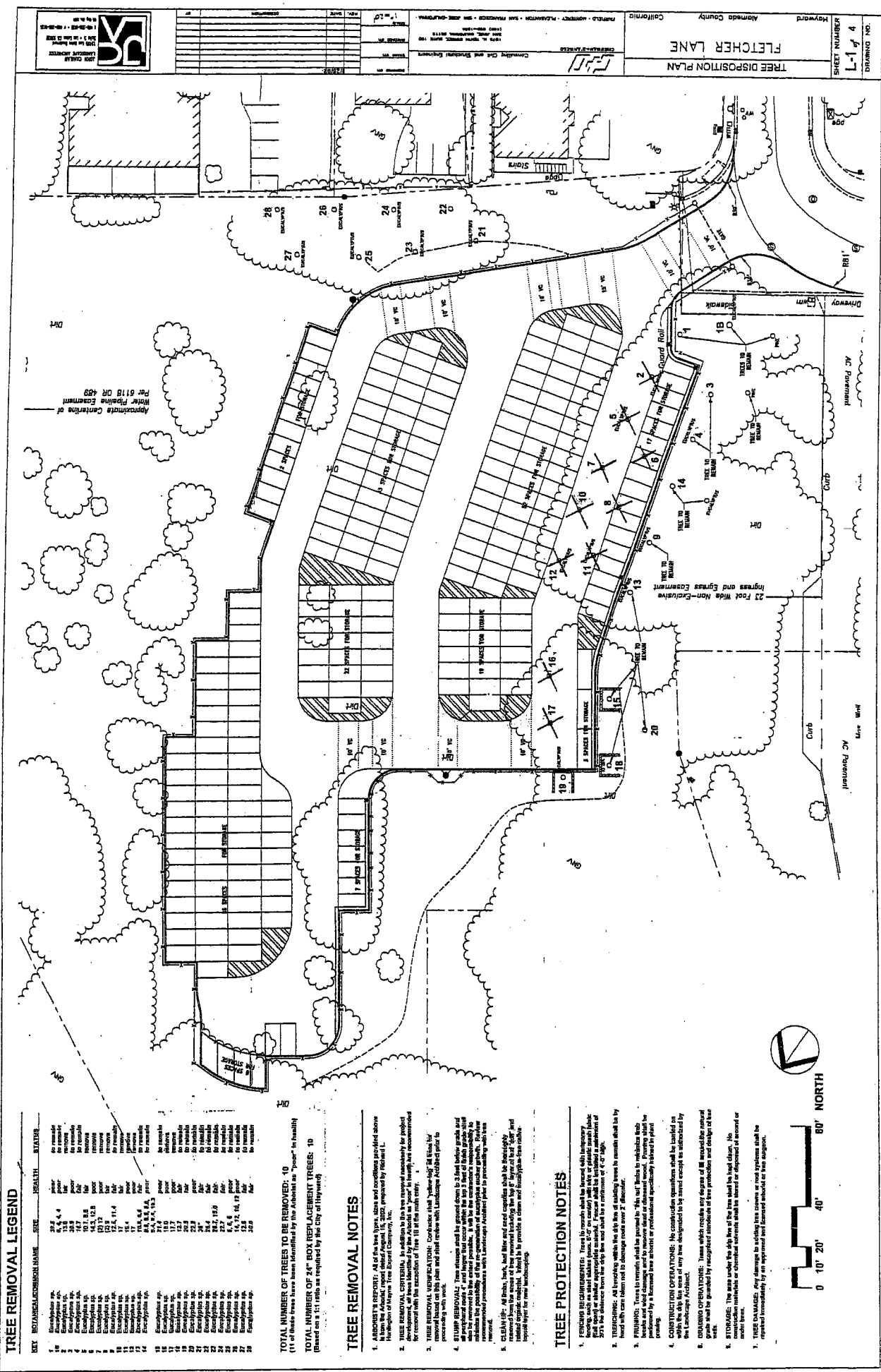


Ground Floor Plan



Second Floor Plan





TREE REMOVAL LEGEND

KEY	NOTATION/COMMON NAME	SIZE	HEALTH	STATUS
1	Encyclopedia sp.	24.2 x 4.4	poor	to be removed
2	Encyclopedia sp.	15.8 x 4.4	poor	to be removed
3	Encyclopedia sp.	16.7	poor	to be removed
4	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
5	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
6	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
7	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
8	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
9	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
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39	Encyclopedia sp.	10.1 x 5.8	poor	to be removed
40	Encyclopedia sp.	10.1 x 5.8	poor	to be removed

TOTAL NUMBER OF TREES TO BE REMOVED: 10
(11 of these trees have been identified by the Architect as "poor" in health)

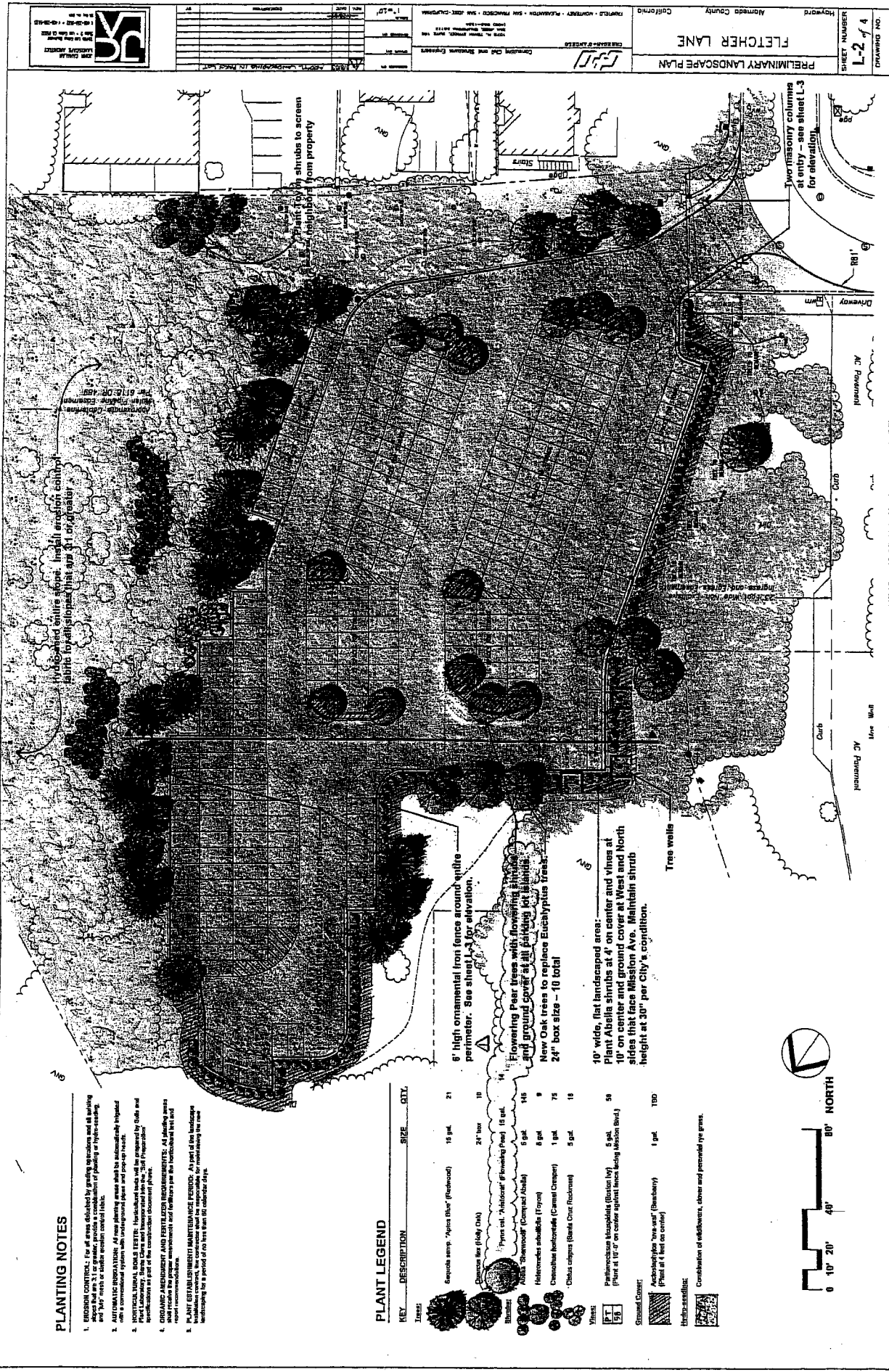
TOTAL NUMBER OF 24" BOX REPLACEMENT TREES: 10
(Based on a 1:1 ratio as required by the City of Hayward)

TREE REMOVAL NOTES

1. ARCHITECT'S REQUEST: All of the trees shown and conditions indicated above are from the Architect's report dated August 16, 2022, prepared by Richard L. Hamilton of Hamilton Tree Experts Company, Inc.
2. TREE REMOVAL CERTIFICATION: In addition to the trees listed immediately for removal, the trees listed below are recommended for removal based on the condition of the trees and the recommendation of the Architect.
3. TREE REMOVAL NOTIFICATION: Coordinate with the City of Hayward for removal based on the plan and shall include with Landscape Architect prior to proceeding with work.
4. STUMP REMOVAL: Tree stumps shall be ground down to 3" below grade and shall be removed to the extent possible. It is the responsibility of the contractor to remove the stumps and to provide a smooth surface for the replacement of the trees. The contractor shall be responsible for the removal of the stumps and for the replacement of the trees.
5. CLEAN UP: All stumps, bark, and other material shall be thoroughly removed from the site and shall be disposed of in a proper manner. The contractor shall be responsible for the removal of the stumps and for the replacement of the trees.

TREE PROTECTION NOTES

1. FENCES REQUIREMENTS: Fences to be erected shall be located within 5 feet of the trees to be protected. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails.
2. TREE PROTECTION: All trees to be protected shall be marked with a 4' x 4' post and a 4' x 4' rail. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails.
3. TREE PROTECTION: All trees to be protected shall be marked with a 4' x 4' post and a 4' x 4' rail. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails.
4. CONSTRUCTION OPERATIONS: No construction operations shall be conducted within the tree protection zone. The contractor shall be responsible for the removal of the stumps and for the replacement of the trees.
5. STUMPAGE: The area under the stump shall be the legal claim. No stumps shall be left on the site. The contractor shall be responsible for the removal of the stumps and for the replacement of the trees.
6. GRADING OPERATIONS: Trees which require any degree of grading shall be protected by a 4' x 4' post and a 4' x 4' rail. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails. The fences shall be constructed of 4' x 4' posts and 4' x 4' rails.
7. TREE DAMAGE: Any damage to existing trees or to the site shall be repaired immediately by an approved and licensed arborist or tree surgeon.

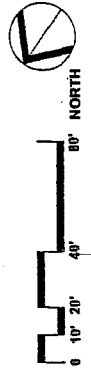


PLANTING NOTES

1. IRRIGATION CONTROL: For all areas delineated by grading operations and all existing and proposed plantings, install a permanent, self-cleaning, and "tee" type control valve.
2. AUTOMATIC IRRIGATION: All new plantings shall be automatically irrigated with a conventional system with underground pipe and pop-up heads.
3. IRRIGATION, FERTILIZER, AND PESTICIDE: Fertilizer and pesticide shall be applied to all plantings in accordance with the manufacturer's instructions.
4. ORGANIC AMENDMENT AND FERTILIZER REQUIREMENTS: All existing areas shall receive the proper amendment and fertilizer per the manufacturer's instructions.
5. PLANT SELECTION: PLANTING SPECIFICATIONS: As part of the landscape maintenance contract, the contractor shall be responsible for the selection of plants for a period of not less than 90 calendar days.

PLANT LEGEND

KEY	DESCRIPTION	SIZE	QTY.
10	Shrubbery, "Spine Blue" (Redwood)	18 gal.	21
11	Shrubbery, "Spine Blue" (Redwood)	24" tree	10
12	Shrubbery, "Spine Blue" (Redwood)	36" tree	10
13	Shrubbery, "Spine Blue" (Redwood)	48" tree	10
14	Shrubbery, "Spine Blue" (Redwood)	60" tree	10
15	Shrubbery, "Spine Blue" (Redwood)	72" tree	10
16	Shrubbery, "Spine Blue" (Redwood)	84" tree	10
17	Shrubbery, "Spine Blue" (Redwood)	96" tree	10
18	Shrubbery, "Spine Blue" (Redwood)	108" tree	10
19	Shrubbery, "Spine Blue" (Redwood)	120" tree	10
20	Shrubbery, "Spine Blue" (Redwood)	132" tree	10
21	Shrubbery, "Spine Blue" (Redwood)	144" tree	10
22	Shrubbery, "Spine Blue" (Redwood)	156" tree	10
23	Shrubbery, "Spine Blue" (Redwood)	168" tree	10
24	Shrubbery, "Spine Blue" (Redwood)	180" tree	10
25	Shrubbery, "Spine Blue" (Redwood)	192" tree	10
26	Shrubbery, "Spine Blue" (Redwood)	204" tree	10
27	Shrubbery, "Spine Blue" (Redwood)	216" tree	10
28	Shrubbery, "Spine Blue" (Redwood)	228" tree	10
29	Shrubbery, "Spine Blue" (Redwood)	240" tree	10
30	Shrubbery, "Spine Blue" (Redwood)	252" tree	10
31	Shrubbery, "Spine Blue" (Redwood)	264" tree	10
32	Shrubbery, "Spine Blue" (Redwood)	276" tree	10
33	Shrubbery, "Spine Blue" (Redwood)	288" tree	10
34	Shrubbery, "Spine Blue" (Redwood)	300" tree	10
35	Shrubbery, "Spine Blue" (Redwood)	312" tree	10
36	Shrubbery, "Spine Blue" (Redwood)	324" tree	10
37	Shrubbery, "Spine Blue" (Redwood)	336" tree	10
38	Shrubbery, "Spine Blue" (Redwood)	348" tree	10
39	Shrubbery, "Spine Blue" (Redwood)	360" tree	10
40	Shrubbery, "Spine Blue" (Redwood)	372" tree	10
41	Shrubbery, "Spine Blue" (Redwood)	384" tree	10
42	Shrubbery, "Spine Blue" (Redwood)	396" tree	10
43	Shrubbery, "Spine Blue" (Redwood)	408" tree	10
44	Shrubbery, "Spine Blue" (Redwood)	420" tree	10
45	Shrubbery, "Spine Blue" (Redwood)	432" tree	10
46	Shrubbery, "Spine Blue" (Redwood)	444" tree	10
47	Shrubbery, "Spine Blue" (Redwood)	456" tree	10
48	Shrubbery, "Spine Blue" (Redwood)	468" tree	10
49	Shrubbery, "Spine Blue" (Redwood)	480" tree	10
50	Shrubbery, "Spine Blue" (Redwood)	492" tree	10





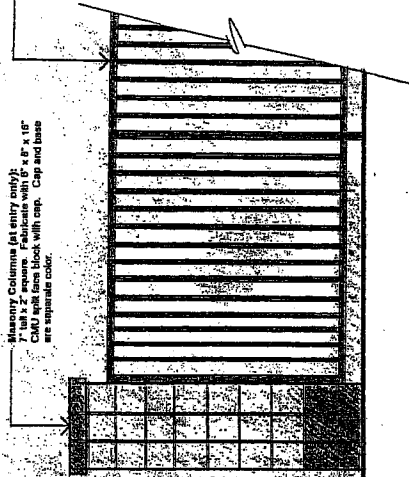
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CHECKED BY	
DESIGNED BY	
PROJECT NO.	
CLIENT	
LOCATION	
DESCRIPTION	

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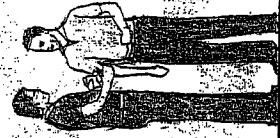
SECTION & FENCE DETAIL
FLETCHER LANE
MAYNARD COUNTY
CALIFORNIA

SHEET NUMBER
L-3 of 4
DRAWING NO.

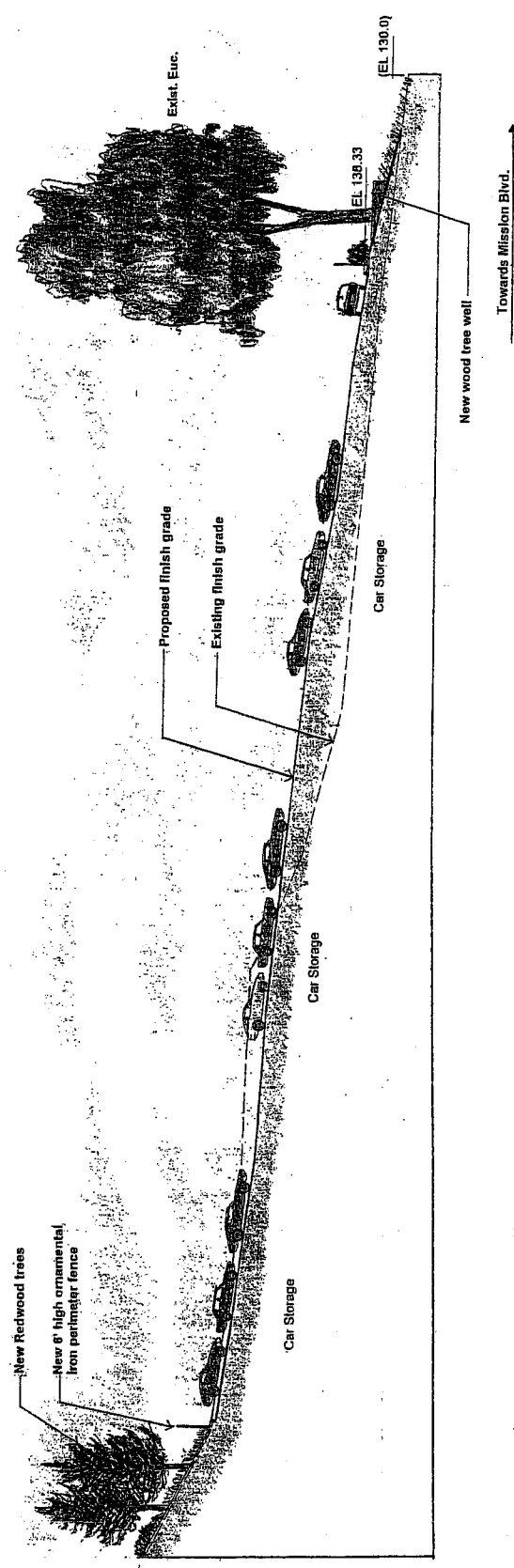
Ornamental Iron Fence:
6" tall, posts are 11 GA, 2" square tube steel at 6' on center, top and bottom rails are 11 GA, 1-1/2" square steel tube, and pickets are solid 3/4" x 1-1/2" x 11 GA. All components are galvanized. Prime and paint all components.



Masonry Column (at entry only):
6' x 6' x 10' square, pickets with 6' x 6' x 10' cap and base are separate color.



6' HIGH ORNAMENTAL IRON PERIMETER FENCE Scale: 3/4" = 1'-0"
(Two masonry columns occur at entry off Fletcher Lane only.)



EAST/WEST SECTION THROUGH SITE
Scale: 1"=10'-0"



ATANESSIAN ASSOCIATES ARCHITECTS

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

Mr. 2/5/03

RESOLUTION ADOPTING THE MITIGATED NEGATIVE
DECLARATION AND MITIGATION MONITORING
PROGRAM AND APPROVING SITE PLAN REVIEW
APPLICATION NO. PL-2002-0668 OF GEORGE
AVANESSIAN (APPLICANT) AND SONIC AUTOMOTIVE
(OWNER) AND ADMINISTRATIVE USE PERMIT NO.
PL-2002-0188 OF DAVID FOSGATE (APPLICANT) AND
MICHAEL AHERN (OWNER)

WHEREAS, George Avanesian (applicant) and Sonic Automotive (owner) has, by Application No. PL-2002-0668, applied for a site plan review to raze four structures and construct a new automobile sales facility for Honda, located at 24919 Mission Boulevard at the southwest corner of Orchard Avenue and Mission Boulevard in a General Commercial-Mission Corridor Special Design (CG-SD1) Zoning District (Site A); and

WHEREAS, David Fosgate (applicant) and Michael Ahern (owner) has by Application No. PL-2002-0188, applied for reconsideration of an administrative use permit requesting use of property as a parking lot for automobile storage, located at the intersection of Fletcher Lane and Walpert Street in an Agricultural (A) Zoning District (Site B); and

WHEREAS, the Planning Commission has held a public hearing and recommended approval of the applications; and

WHEREAS, a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared and processed pursuant to the requirements of the California Environmental Quality Act determining that the proposed project could not result in significant effects on the environment; and

WHEREAS, concerning Site Plan Review Application No. PL-2002-0668, the City Council hereby finds and determines that:

1. The application has been reviewed according to the standards and requirements of (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment that can not be mitigated, therefore it is determined that adoption of a Mitigated Negative Declaration is the appropriate action.

2. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City. All existing on-site structures will be removed and a new building will be constructed that is in conformance with the Mission Corridor Special Design Overlay Zoning. Landscaping and screen walls will be included in the development to screen the project from adjacent residential structures and enhance its appearance from the Orchard Avenue and Mission Boulevard intersection.
3. The development takes into consideration physical and environmental constraints. The project site is primarily flat with no physical or environmental constraints. The site will be graded to adequately drain to conform to the Clean Water Act and new curb, gutter and sidewalk will be provided where missing or in poor condition.
4. The development complies with the intent of City development policies and regulations. The design of the building complies with the Mission Corridor Special Design Overlay Zoning requiring Mission style architecture. The development is also in conformance with the design theme in the Mission Foothills Neighborhood Plan recommending architecture compatible with the early history of Mission Boulevard as a connection between Spanish ranches and missions on the California coast.
5. The development will be operated in a manner determined to be acceptable and compatible with surrounding development. The development will be screened by an 8-foot high masonry wall and landscaping to enhance the appearance of the site from adjacent residential uses. Conditions of approval will be attached that will mitigate impacts the proposed use may have on surrounding properties and uses; and

WHEREAS, concerning Administrative Use Permit No. PL-2002-0188, the City Council finds and determines that:

1. The application has been reviewed according to the standards and requirements of (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment that can not be mitigated, therefore it is determined that adoption of a Mitigated Negative declaration is the appropriate action.
2. The proposed use is desirable for the public convenience or welfare in that it makes use of a parcel that is difficult to develop due to its location within the Alquist Priolo Study Zone and sloped topography.

3. The proposed use will not impair the character and integrity of the zoning district and the surrounding area in that sufficient landscaping has been provided to screen views of the cars from Mission Boulevard and the apartment complexes surrounding the area.
4. The proposed use will not be detrimental to the public health, safety and general welfare in that minimum loss to life and property would occur should an earthquake take place in the vicinity of the site. The site is only for storage of automobiles and no building will be located on the site.
5. The proposed use is in harmony with applicable City policies in that the General Plan Policies & Strategies are supportive of uses that increase revenues to the City. Expanding the storage capacity will support the activities of the nearby auto row.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the Mitigated Negative Declaration and Mitigation Monitoring Program is hereby adopted.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that based on the foregoing findings, Site Plan Review Application No. PL-2002-0668 and Administrative Use Permit No. PL-2002-0188 is hereby approved subject to the attached conditions of approval for same.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney for the City of Hayward